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International Court of Justice

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17 July
Affidavits.

SUBMISSION OF AFFIDAVITS BY THE DEFENSE PURSUANT TO THE ORDER OF THE TRIBUNAL DATED 5 JULY 1946.

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17 July, 1946.

COMMISSIONER:

Colonel A. M. S. Neave.

(THE COMMISSION CONVENED AT 1030 HOURS.)

THE S.S.

COLONEL NEAVE: The last affidavit submitted was SS AFFIDAVIT 13. Yesterday, we had a conference regarding concentration camp affidavits and came to certain conclusions with regard to those affidavits. Possibly Dr. Pelckmann would like to submit the concentration camp affidavits first.

DR. PELCKMANN: WEBER AFFIDAVIT.

Weber is by profession a priest. He was a racial German from Rumania and in October of 1941 he was drafted, together with 350 fellow citizens, into the Waffen SS without having previously belonged to the party or the Algemeine SS. Weber belonged from January 1, 1942 until the end of the war to the Guard and Battallion Gusen ~~xxxx~~ Maunthausen. He was assigned to guard duty in the beginning of 1943, then he worked in the company office. He was comandeered for three months at the concentration camp at Oraniansburg and later on was sent back to Guden as a librarian. During his entire duty, Weber never saw that prisoners were mistreated, tortured or killed by guard posts. Weber spoke almost daily with the prisoners and they told him many things of life within the camp, but never spoke of any tortures, killings or gas chambers. The prisoners had recreation in Camp Gusen, including movies, foot-ball tournaments, concerts and good medical care. The bad impression, which was given

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Camp Gusen, was supposed to have been made when it was cleaned up and is explained by Weber through circumstances which occured only in the very last period of the war, such as the typhus epidemic, the killing of prisoners among themselves, the lack of food supplies, etc."

MR. MONNERAY: It can be added to the summeray that it is recognized that the guards were not allowed to enter within the camp itself.

DR. PELCKMANN: I agree with that. I propose, due to the fact that this affidavit is typical, that the entire affidavit be translated, because I have quite a few other affidavits of this sort and this will add to the explanation of the other affidavits.

COLONEL NEAVE: Mr. Monneray, I don't know if you wish to have this affidavit fully translated or not.

MR. MONNERAY: I think the summary is sufficient.

DR. PELCKMANN: "The entrance into the camp, as well as the entrance into the industries where prisoners worked, was allowed only to the personnel of the command post and only some of them were permitted to enter."

COLONEL NEAVE: This affidavit will be admitted as SS AFFIDAVIT 14.

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DR. PELCKMANN: I will present some more, which are typical also.

COLONEL NEAVE: You will have to limit the number that you actually summarize into the record. Those you do not summarize we will just have to list.

DR. PELCKMANN: These are only typical special individual affidavits.

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I will bring a big list of general affidavits concerning the concentration camps.

COLONEL NEAVE: How many "typical special" affidavits are there?

DR. PELCKMANN: Ten.

COLONEL NEAVE: What about the ones I have here. Are they the same?

DR. PELCKMANN: Six of them you have.

COLONEL NEAVE: Go on.

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DR. PELCKMANN: KOENIG AFFIDAVIT.

COLONEL NEAVE: I believe we read this before. I am looking at the transcript of Saturday. I don't believe you want to read it into the transcript again. I would like to say that the whole summary is to be found in the transcript of last Saturday morning (July 13, 1946) with the exception of the last sentence. The last words used in the transcript on Saturday morning ~~was~~ were that "food was quite good and sufficient in the concentration camp." You can read the last sentence.

DR. PELCKMANN: "Mistreatment of prisoners was strongly forbidden and punished severely."

MR. MONNERAY: I do not object to the last part of the last phrase of the summary, even when you say the food was better than the food given to the SS members, but that is an interesting element for the weight of this document.

DR. PELCKMANN: It is a question of value.

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MR. MONNERAY: I would like to have read a few phrases of the last page, where he finally recognizes that executions did take place in the concentration camp.

COLONEL NEAVE: There is no point in reading part of the paragraph, we will read the whole paragraph.

DR. PELCKMANN: "At the end of my affidavit, I want to speak about the executions, some single executions were carried out, but they were/mostly so-called black-out criminal, guilty of plunderings in Berlin during air attacks, criminal assault, rape and other assault crimes. As I found out from comrades who were working in the command office, these people were legally sentenced to death by a proper court marshall. Mass executions, as they were suppo ed to be carried out in Auschwitz and Malhausen, which we heard of only in the internment camp through the press and radio, could not have been carried out in Saxonhausen. My comrades and I would have had to know something about this. The order concerning a single execution, concerning these sentences, etc., came as secret matters to the commander or his representatives in the office and were taken care of in strict secrecy by Amts. 1 and 3. The secrecy was also kept against other offices. (Amts. 1 and 3 are the prison camp leadership.) For all SS members working in the concentration camp, there was a so-called secrecy pledge, not only to the outside, but also concerning the individual work done."

COLONEL NEAVE: Any comments?

MR. MONNERAY: No comments.

COLONEL NEAVE: This is SS AFFIDAVIT NO. 15.

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DR. PELCKMANN: AFFIDAVIT WILSCHEWSKE.

COLONEL NEAVE: We had better look at the affidavit first.

MR. MONNERAY: What is the purpose of this affidavit?

DR. PELCKMANN: What is in the affidavit. This is supposed to show that a prisoner was comparatively well treated and he did not have any knowledge of any killings in concentration camps or executions.

MR. MONNERAY: No objections.

DR. PELCKMANN: Wilschewske had been an inmate of the concentration camp Dachau since March 3, 1943 when he refused to follow a draft order into the SS. He was treated well in Dachau, the food was good and there was tobacco until the end of 1944. The accommodations were well during his entire stay in Dachau. He did not see any killings or mistreatments, with the exception of those special punishments ordered by the Reichsfuehrer SS. Besides that he heard of executions such as the carrying out of court marshall sentences. Wilschewske heard repeatedly of the prisoners who volunteered for biological experiments of Dr. Rascher. They volunteered for that since in this way they could earn their own freedom as well as special consideration for their families. Wilschewske is at the present time interned since he, with other prisoners was put in uniform when the American troops came near and was ordered to defend the camp.

COLONEL NEAVE: Any further comment? This is SS AFFIDAVIT 16.

MR. MONNERAY: May I add one word as to the fact that Wilschewske is actually interned. This fact was not the result of the affidavit itself, but it is due to the comment of the defense counsel.

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DR. PELCKMANN: There is a mistake in the copy, that is in the original.

COLONEL NEAVE: My copy says he went to Dachau under protective custody in February of 1943.

DR. PELCKMANN: Mr. Monneray means the fact that Wilschewske is now interned. That is in the last paragraph.

COLONEL NEAVE: Yes, I see.

DR. PELCKMANN: That was not mentioned accidently in the affidavit.

COLONEL NEAVE: Is he still interned in Dachau?

DR. PELCKMANN: That is not correct. He was only ordered to defend the camp, but there was no defense.

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DR. PELCKMANN: AFFIDAVIT GERBER.

Gerber was weapons chief in the armament industries in Dachau. He knew that cold experiments were being made with prisoners of the concentration camp, but that the prisoners volunteered for these experiments and that they were previously examined by doctors and received special food.

MR. MONNERAY: No objections.

COLONEL NEAVE: That will be admitted as SS AFFIDAVIT NO. 17.

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COLONEL NEAVE: We have had four so far on concentration camps. How many more do you have?

DR. PELCKMANN: Six more.

COLONEL NEAVE: That makes a total of ten affidavits on the concentration camps. I think that is fair, but there should be no more.

MR. MONNERAY: That will be quite sufficient to get a general picture from the point of the defense.

COLONEL NEAVE: The object of the affidavits, I understand, is to show that there was no general policy on the part of the SS to ill-treat prisoners in the concentration camps and if there were crimes committed, they were not known to the average camp guard.

DR. PELCKMANN: That is correct. I am merely interested in the second point and the first point is just a supporting point.

MR. MONNERAY: I consider these so-called affidavits are only relevant to the second point, that is the point of knowledge, but are irrelevant as far as they tend to show the question of general policy in concentration camps. The first point seems to be necessary to show evidence of a general nature.

COLONEL NEAVE: I don't think you can say on the point of general policy that they are entirely irrelevant and I should prefer to leave further consideration of their actual value as evidence to the judges.

DR. PELCKMANN: I want to say that due to the fact that I was not

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able to get at some documents, I will present at the next hearing a sufficient affidavit concerning the general policies of the concentration camps by the Witness Kaindel and also a statement or affidavit by SS Judge Dr. Morgan, who was the chief of the investigating group that investigated concentration camps from 1943 to 1944.

COLONEL NEAVE: Is that in addition to what you have this morning?

DR. PECLKMANN: Yes, in addition. I could not finish Kaindel's affidavit because he just arrived last night.

COLONEL NEAVE: Defining the question of the ~~visibility~~ admissibility of these affidavits as evidence. The affidavits describe conditions in several well known concentration camps and I am not prepared to rule them out on the grounds that they are irrelevant either in respect to the question of general policy or the question of knowledge, unless, of course, those that follow turn out to be personal in nature.

DR. PELCKMANN: I must point out that I am too a little uncertain about this entire matter, since my request to the Tribunal that I present the various records and judgments during the recent concentration camp trials has been turned down by the Tribunal repeatedly.

COLONEL NEAVE: Yes, go on.

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DR. PELCKMANN: AFFIDAVIT - ANGSTMANN.

COLONEL NEAVE: Are there any objections?

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MR. MONNERAY: No objections.

COLONEL NEAVE: Do you wish anything additional added to the record?

DR. PELCKMANN: You can add the fact that Angstmann was high chief of the SA from 1933.

I consider that he was a high leader since he was an Obertruppfuehrer, which is a non-commissioned officer.

MR. MONNERAY: You say he is an Obertruppfuehrer?

COLONEL NEAVE: I don't see anything particularly interesting about that.

DR. PELCKMANN: Angstmann was commandeered in August of 1944 from the army to carry out personnel transports from Auschwitz to Buchenwals and on September 15, 1944 was taken over by the SS. Among other things he acted as a guard in the concentration camp Flossenberg. Guards who hit prisoners or mistreated themeotherwise were punished. The guard units had no entrance to the protective custody camp. The food of the prisoners was satisfactory and from all persons who came in any connection to the concentration camp a statement was required concerning secrecy. There was no possibility for Angstmann, as a member of the guard company, to find out anything concening the inner matters of the concentration camp at Auschwitz. Angstmann declared that he understands quite well the complete lack of knowledge by the majority of the SS members of conditions in the concentration camp.

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COLONEL NEAVE: Are there any objections? That will be admitted as SS AFFIDAVIT NO. 18.

We will recess for ten minutes.

(THE COMMISSION RECESSED AT 1130 HOURS.)

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COLONEL NEAVE: Go ahead with the next affidavit you wish to submit, Dr Pelckmann.

DR PELCKMANN: Klenner.

COLONEL NEAVE: May I interrupt you a moment.

DR PELCKMANN: I gave that copy the last time.

COLONEL NEAVE: How does he spell his name.

DR PELCKMANN: Klenner.

COLONEL NEAVE: I don't seem to have it here. Mr Monneray, do you have anything to say against this?

M. MONERRAY: I have no comments to make.

DR. PELCKMANN: The command staff of a concentration camp had nothing to do with the guard units. The members ofthe guard companies were prohibited entering the camp, or the interior of Sachsenhausen,and in the mistreatment of prisonerx was punished severely.

COLONEL NEAVE: That is SS Affidavit No. 19 and admitted.

DR. PELCKMANN: The next is Tunger. Tunger was first of all since 1940 a guard drafted through the labor law at the concentration camp Dachau. Later on he was manager of the food store, and there ware no indications of cruelties or exterminations. The food and the care of the inmateswas very good. I want to point out that in addition to this affidavit I added a report over the food rations according to special weight,and the exact weight of this food ration, and so on. That is for 1943.

COLONEL NEAVE: Where is this?

DR. PELCKMANN: Don't you have it, Colonel?

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COLONEL NEAVE: According to the defense this chart is available at the end of the original affidavit. Any further comments?

M. MONERREY: No comments.

COLONEL NEAVE: This may be admitted as SS Affidavit No. 20. We have now allowed six affidavits on this subject, and I understand that there will be four more.

DR PELCKMANN: As far as concerns the description of the guard companies or inmates, I next have Klose.

COLONEL NEAVE: How many affidavits from Auschwitz do we have? We had one from Auschwitz before.

DR. PELCKMANN: One, I believe. This is the second.

COLONEL NEAVE: Are there any others.

DR. PELCKMANN: No, not on concetration camps. Inmates or guards, no. I include the ones I have selected. I am sure there are some more that I have in the end summary.

Klose was drafted in the WAFFEn SS in 1941, and without having previously been a Party member, or a member of the Allgemeine SS. He was made a guard in concentration camp Auschwitz . Any kind of violations against prisoners were ~~p~~ished severely. The prisoners were fed well. There was no indication of mistreatment or extermination in Auschwitz.

COLONEL NEAVE: Commission will allow SS Affidavit No. 21 to be admitted.

DR. PELCKMANN: Flierl.

COLONEL NEAVE: Will you translate the last remark.

DR. PELCKMANN: I want to point out especially that Flierl was transferred in September 1944 from the army due to the fact he was not

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usable on the front lines. He was transferred to the command staff of the concetration camp.

COLONEL NEAVE: Any comments on this?

M. MONERREY: No.

COLONEL NEAVE: Translate it.

DR. PELCKMANN: Flierl was working in the command posts of the concentration camp Dachau,and was commander leader of about forty or fifty model prisoners. Strict secrecy was required,and the entrance into the camp was only allowed upon presentation of special passes which were only given out after a very severe selection. The secrecy rules had the purposes of keeping secret any matters that occurred within the camp towards the outside, not even among those which were working in the command staff, or in the original office of the camp itself.

COLONEL NEAVE: The Commission will allow this affidavit as SS Affidavit No. 22.

DR. PELCKMANN: Fabian -(reads the German text)

COLONEL NEAVE: Any objection.

M. MONERREY: No objection.

COLONEL NEAVE: Will you translate it?

DR PELCKMANN: Fabian was a member of SS since 1931,and in 1940 he was sent to the concentration camp Sachsenhausen in Oranienberg because of breaking of the secrecy pledge. He remained there until 27 January 1941, and was later on put into a probation unit of the Waffen SS. Fabian saw in Sachsenhausen good accommodation, good clothing,and possibly all religious worship. He later on saw the movie on the concentration camps and is of the opinion that the pictures shown there are the result of a breakdown within the latest period.

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The prisoners as well as the guard units were ordered to astrict secrecy under the threatening of severe punishment.

M. MONERREY: Do you know how long he was in this concentration camp?

DR PELCKMANN: He stated that he remained there until 1941, 1940 to 1941, one year.

COLONEL NEAVE: Anything else you want to read into the record?

M. MONERREY: No.

COLONEL NEAVE: ~~You~~ We will admit this as SS Affidavit No. 23.

DR. PELCKMANN: I only want to say that later on I shall present a summary ofmany other documents, partly by SS guards,and partly by prisoners. The only thing to be done is in the summary I will give the main points oftheir statement concerning the method used in the concentration camps,and concerning their knowledge as towhat happened within the concentration camps, such as concerning the tortures and exterminations. This will be handed in on a special form.

COLONEL NEAVE: How many are there.

DR. PELCKMANN: I don't know. Up until now the assistants on members of the SS are at present improving on it in the witness wing sorting through about twenty thousand affidavits which do not only concern the concentration camps,but other matters, ~~but xxxxxxx xxxxxx

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DR PELCKMANN: Yes.

COLONEL NEAVE: Now I would like to turn to the subject of the witness Kuehn. You remember we had a discussion on that concerning the validity ~~on a subject~~ of an affidavit such as this. In this case the witness asked an official in the Gestapo whether rumors concerning the extermination of Jews were true. Well, now, in my opinion such evidence is only relevant if it can be shown that the people responsible for these alleged exterminations made it ~~xhx~~ their policy to deliberately conceal the facts from the world at large, or at any rate a considerable number of the members of the organization to which it is charged. Now we had considerable discussion on this affidavit. We have gone into this, and ~~it~~ this is my view ~~on this affidavit, and I dare~~ consider it is relevant to show that one individual received a particular answer from the Gestapo, particularly one which does not have anything to do with the SS. ~~If anything~~ We can not admit this as evidence on the grounds that I have already given.

DR. PELCKMANN: May I add something to this. Or is this a final decision?

COLONEL NEAVE: Well, you may comment on it.

DR. PELCKMANN: This affidavit of Kuehn is only a small link in the chain of evidence. I want to state at this point that if the commissioner wants me to prove that the Gestapo made a deliberate policy to misinform the people about the real administration, then I can not do that by documents since orders like that definitely were not given in written form, and if they were given them, can not be found at the present time, especially not with the means that I have had at my disposal.

COLONEL NEAVE: Permit me to say, why not have your witness say

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that through the affidavits. All this witness says is that he personally asked the question and received the particular answer. He does not say the Gestapo kept it a secret from others. If you produce an affidavit that shows that the Gestapo kept the extermination of the Jews a secret from a number of people, then I'll admit it. As the affidavit stands, it falls entirely within the rule 6-C of the order of March 13th. It makes it quite clear that the ignorance of a particular individual is not relevant as it stands now. After all I can only judge the affidavit by what it says. I can not infer any more information from it than I can get from the reading of it. You can not expect me to infer from this affidavit that it means something different.

DR. PELCKMANN: I want to say that it is a matter of logic, or a matter of human knowledge that if the important persons of one office inquire at another official source in this case, the Gestapo, and when received a reply, then this reply necessarily is to be considered not a reply just because the other person failed of giving this answer, but because the other perons had orders to give such answers.

COLONEL NEAVE: I think the prosecution should state their view on this subject. I think before we close this discussion there should be more comments, and I would like to hear from Mr. Monerrey, what you have to say on this subject.

M. MONERREY: I quite agree with the Commission, and maybe for once more I begin to think the affidavit some sort of implication and conclusion much more than concrete facts, and, moreover, I think the whole affidavit does not or has no connection at all with the SS. It talks about the

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position of the Ministry of Justice ,and it talks about the Gestapo,and we are here interested in getting facts about the knowledge, or absence of knowledge of the members of the SS as an organization.

COLONEL NEAVE: Dr Pelckmann, are you going to submit further evidence on this subject?

DR PELCKMANN: Yes.

COLONEL NEAVE: Not ~~of the~~ in this form? Are they all the people who inquire at offices receive negative answers, or something similar to that?

DR. PELCKMANN: There are. Like the one we have here from Dr Morgen, who being a SS judge,and who had an official order to investigate the crimes in concentration camps, only to get this information from one, and also of some members of the SS and members of the staff of Himmler concerning his statements,and matters like that.

COLONEL NEAVE: We agree to suspend consideration of ~~the~~ this in view of ones that are to come.

DR. PELCKMANN: The next is the affidavit of Wagner. I would like the entire document translated, or at least the quotation of Himmler.

COLONEL NEAVE: ~~It~~ There was great difficulty in finding Allied officer to certify ~~certain parts of~~ the affidavit?

DR PELCKMANN: Evidently. There is a signature of an officer under ~~that~~ it.

COLONEL NEAVE: This copy appears to be certified to by you, Dr. Pelckmann. May we have the original as soon as you can get it.

DR. PELCKMANN: Yes.

COLONEL NEAVE: Mr Monerrey, will you please comment on Dr. Pelckmann's request, which is a statement to have the whole or part of this affidavit

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translated.

M. MONERREY: I have no objection to the whole translation.

COLONEL NEAVE: The Commission shall consider the translating of it. Now in ~~line~~ view of what we have heard from this witness, you still think that the affidavit of Kuehn is relevant?

DR. PELCKMANN: Yes, especially because of this.

COLONEL NEAVE: This particular affidavit is exactly the type of affidavit I was suggesting ~~you~~ we ~~should~~ would ~~submit~~ ad, to show that the concentration camp atrocities were deliberately concealed from other people, whereas, the affidavit of Kuehn ~~bears~~ reveals no such facts. The Commission will, therefore, deny the affidavit of Kuehn, and return it to you. The Affidavit of Wagner is admitted as SS Affidavit No. 24, and will be fully translated and submitted to the Tribunal.

DR. PELCKMANN: Friedrich Mueller --

COLONEL NEAVE: Naturally, Dr. Pelckmann, before you read this affidavit I would like to say, it seems to me that we seem to be getting off the topics I ~~intended to advise you on this~~ understood you to rely on in e submission of these affidavits. We are now coming back to concentration camps and ghettos, whereas, I ~~have~~ had thought that with the last affidavit we were to come to the question of knowledge. What is the subject in Mueller's affidavit?

DR PELCKMANN: The affidavit tells of the concentration camp but not concerning the knowledge of the inmates, or the guards, but rather of the SS as a general organization, and now statements of other people who were not inmates, guards, or guard members but people in position to make statements concerning these matters through the positions they held.

COLONEL NEAVE: All right.

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DR. PELCKMANN: Freidrich Mueller as general director of the Bohemian and Moravian mail checked the installment of the Jewish mail distribution in Theresienstadt,and visited the Jewish city. He could neither say about the treatment of Jews, nor any extermination. The opposite he noticed very good food conditions of the Jews in the town.

M. MONERREY: Perhaps it would be possible to translate the last passage on page two.

COLONEL NEAVE: Beginning where?

M. MONERREY: The last phrase, or the second to last phrase.

COLONEL NEAVE: Is it not stated in the summary?

M. MONERREY: It is quite amazing when this Czech internee comes back,he is given a particular translation,but he talks about the necessity to live with real criminals, so perhaps there were two parts in this Ghetto, and if anything this last phrase is in contradiction with the beginning of this affidavit.

COLONEL NEAVE: Allright, you can read that, can't you? By the way, have you translated this summary?

THE INTERPRETER: Yes.

M. MONERREY: After this report came back to the office, I had him report to me concerning his experience in the concentration camp, after I had found his thoughts concerning the secrecy pledge, he told me that for him the worse was the living together with the real criminals. Food and housing were allright. He did not at any time have to feel any mistreatment or abuse.

COLONEL NEAVE: Any further comments. The Affidavit is admitted

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as SS Affidavit No. 25. As I have to attend a closed session at two o'clock I shall be ~~obliged~~ 9(a) to adjourn now. Mr Taylor will continue the hearing at two o'clock.

(The Commission adjourned to 1400 hours)

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AFTERNOON SESSION

(The Commission reconvened at 1405 hours, ~~16~~ 17 July 1946.)

BY DR. PELCKMANN:

Affidavit Fritz Wagner. Members of the Commando Staffs and of the Guard Units of the concentration camps were punished severely for mistreatment of prisoners. I would ~~xx~~ also like the following paragraph to be translated into the record: Through personal files and through documents available one could see that every one of them and sometimes even repeatedly, was taught and told, without strong punishment, that they were not to speak to the prisoners ~~xxx~~ privately, that they were not supposed to have any personal connections with them, that they were not to hit them or to mistreat them or were not to give them any presents or take any from them.

COMMISSIONER TAYLOR: Any objection?

M. MONNERAY: No objection.

COMMISSIONER TAYLOR: That will be SS No. 26.

BY DR. PELCKMANN:

I do not want to bring up next the two affidavits of Schmitz and Schein. I am going to submit them in the final summary.

Next is Affidavit Gerlach. Gerlach was at the end of July 1934, Commander of the so-called Columbia House in Berlin, the prison for political prisoners of the Reichs Security Main Office and from the beginning of December 1934 Commander of the Concentration Camp Sachsenburg and since April 1935 Adjutant in the Concentration Camp Dachau. Only members of the camp headquarters and the prisoners themselves could have any knowledge concerning the matters within the concentration camp. There was a secrecy pledge for all members of the camp headquarters, for the guard units and for the prisoners. Gerlach states that with

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the exception of a small circle that he has named no one, not even members of the SS, could have received any information concerning conditions in concentration camps.

M. MONNERAY: The affidavit does not seem to be signed before an allied officer.

DR. PELCKMANN: It was very hard to have this certified by an allied officer since the decree concerning certification by an allied officer was only issued in May and in this case it was certified by a German lawyer. It is possible that there is a decree in the Camp Neuengamme in which the German lawyers are authorized to certify the documents. I remember especially that communication with the Camp Neuengamme was very difficult.

COMMISSIONER TAYLOR: Is there any other objection?

M. MONNERAY: No.

COMMISSIONER TAYLOR: That will be marked SS No. 27 and it will be submitted to the Commission as a whole as to clarification and for approval.

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BY DR. PELCKMANN:

Affidavit Gruenewald. Gruenewald was from the 21st of June 1938 until the 2nd of August 1944 protective custody prisoner in various concentration camps. On the 19th of December 1944 he was forced into the SS. Gruenewald found out during his six year imprisonment that all mean matters and crimes were carried out by members of the Command Staffs and that they were kept secret from members of the SS units. He states that the members of the Waffen-SS did not have the possibility to receive any insight into the interior matters of the concentration camp.

M. MONNERAY: No objection.

COMMISSIONER TAYLOR: Let the affidavit be marked SS No. 28.

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BY DR. PELCKMANN:

Affidavit Rudolph Gerhard Schneider. Schneider was in October 1943 ordered to Posen as an SS Sturmfuehrer and member of the Office of the SS Personnel Main Office of the Reichsfuehrer-SS and in this way became a witness to the Posen speech of Himmler. During the evening meal the Gruppenfuehrer of the Waffen-SS Steiner and Phleps spoke against the proposed solution of the Jewish problem as described by Himmler as well as against the use of the Waffen-SS in the so-called Einsatz Commandos. Schneider was of the impression that other SS leaders also did not agree with the statements of Himmler. Every member of this meeting was held to strictest secrecy. Schneider had to sign a slip which stated that if this secrecy pledge was broken he, together with his entire family, would be liquidated. Some days later Schneider was once again warned personally by Himmler to keep quiet in any case concerning Posen if he valued his life.

M. MONNERAY: No objections.

COMMISSIONER TAYLOR: Let the affidavit be marked SS No. 29.

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Affidavit Jasper. Jasper entered into the SS Reitersturm on the 1st of May 1935 in Munich. In August 1936 he participated in the group that was sent to accompany members of the Diplomatic Corps and foreign guests of honor to the Olympics in Berlin and later on participated also in the accompanying of foreign personalities, duties which were regularly carried out by the 7th SS-Reiter Standarte. Jasper thereby saw a constantly increasing participation of the Diplomatic Corps in National Socialistic demonstrations from year to year and growing interest in the matters of Germany. He did not notice any negative action or any hostile attitude but rather a happy agreement. This cooperation in the Diplomatic Corps was presented to the German public through movies and the press as well as through direct reports over the radio. Therefore neither the German population or the

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mass of the SS could get the thought that the SS was a criminal organization, especially since, for instance, during the Reichs Party Day of 1938, among the personalities participating were the British Ambassador Henderson and the French Ambassador Francois Poncet. This affidavit also states that the riding training in the SS Reiterstandarte was not considered by the Army as being too valuable.

M. MONNERAY: I consider this affidavit as irrelevant in so far as the affidavit is dealing with the attitude of foreign diplomats. The Tribunal has already dealt with this question and has not admitted this kind of evidence. May I add, this document gives no evidence of facts except the fact of the presence of foreign diplomats during the Party Demonstrations.

DR. PELCKMANN: I believe that the prosecutor is incorrect when he states that the Tribunal has already decided this matter. The Tribunal can only decide about individual defendants; but the attitude of the foreign diplomatic corps towards the National Socialistic State is to be treated quite differently in this case and I will explain immediately why. This cannot be of any value to the individual defendants before the Tribunal since, as the prosecution has stated, they, as leading personalities, did know the goals and the reasons behind the goals. The individual defendants had to know, according to the prosecution, that they were fooling the foreign governments, the diplomatic corps. Therefore, the attitude of the other countries could be of no value to the individual. However the defense of the SS maintains that the SS members and the organization as such were themselves fooled by the National Socialistic Leadership about its true goals and this mistake, this wrong idea, had to be strengthened by the friendly attitude of the Diplomatic Corps. Therefore the individual could not have known that its government was following criminal goals if the foreign diplomats were on such friendly relations. And this documents does not give only ideas but

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rather facts concerning especially the attitude of foreign diplomats against the SS during such diplomatic demonstrations or Nazi Party Demonstrations.

M. MONNERAY: If I may add another consideration, it seems to me that the matter this affidavit is dealing with, about the matter of argument, about the matter of facts, the only facts shown here in this affidavit is the presence of foreign diplomats at Nazi Demonstrations. In this commission the evidence has to deal with the criminal activities of the organizations. So it would be perfectly admissible if this affidavit said only that the SS Riding Units had no criminal activity at all. But there is no connection at all between the attitude of foreign diplomats and the knowledge of criminal activities of the indicted organization. For this reason I think this document is inadmissible.

DR. PELCKMANN: May I add something?

COMMISSIONERY TAYLOR: Proceed.

DR. PELCKMANN: This document does not only state the fact, very well known before the Court, that foreign diplomats had participated in demonstrations or were present, but it shows something that so far has not been presented to the court - that it was the SS that took care of these visiting diplomats and it was the SS that was in an especially friendly relation with the foreign diplomats and vice versa. It is not correctly stated that this Commission has only to deal with the question as to whether or not an organization is criminal because, according to #3 of the Decree of the 13th of March 1946, it is stated that the question is also if the criminal goal was generally known among the members of the organization and therefore it is important to know if these diplomats were together with members of the SS, which is supposed to be a criminal organization, and it is important to show that members of the diplomatic corps were in good relation with members of the SS. The people and the mass of the SS had to judge themselves whether members of the diplomatic corps would be seen together with members of a

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criminal organization.

M. MONNERAY: If I may just conclude, I think there is no connection at all between the question whether or not members of the SS considered their organization as criminal and the fact that foreign representatives attended Nazi Demonstrations. An appreciation by the members of their own organization and of the nature of their own organization has to be shown by facts regarding this organization and not by facts which have no connection at all with this organization. In other words, evidence has to be given by facts which are in direct connection with the organization and a part of this organization itself and its activities and not by facts absolutely outside of the organization itself.

DR. PELCKMANN: According to #3 of the Decree of the 13th of March one has to show that members of the SS were not aware actually of the criminal attitude and the only way I can prove that is by giving facts by which the average SS man could judge in those years.

COMMISSIONER TAYLOR: For the purpose of the record let this affidavit be marked SS No. 30. The objections by the prosecution are noted and the record is closed as to the question of relevancy. The affidavit will be presented to the commission for final approval.

* * * * * * * * *

BY DR. PELCKMANN:

Affidavit Kaddatz. Kaddatz belonged since May 1934 to the Leibstandarte Adolf Hitler, later on to other formations of the Waffen-SS. He won through his 12 years of activity in the units of the Waffen-SS from the rank of an SS-man to that of a regimental commander, a good insight of the activities of the organization. Before 1937 there was no military training for war purposes in the Leibstandarte Adolf Hitler but rather only drill for parades. The Waffen-SS was often instructed in its training and on the front concerning the laws of warfare

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and they were warned against any excessive measures and if such excessive measures were carried out, severe punishment was handed down.

COMMISSIONER TAYLOR: Any objection on the part of the prosecution?

M. MONNERAY: No.

COMMISSIONER TAYLOR: Let the affidavit be marked SS No. 31.

* * * * * * * * * * * * *

BY DR. PELCKMANN:

Affidavit Strobel. Strobel was Hauptscharfuehrer in the Waffen-SS Division Reich and belonged from October 1939 to July of 1942 to the medical group of the Division Staff. Since August 1942 he was in the same capacity with the Waffen-SS Division Florian-Geyer. There was repeated instruction concerning the rights of warfare, concerning the treatment of prisoners of war and of the civilian population and of the position of medical personnel. He does not know of any crimes against the laws of war. The Russian population was also treated medically by the medical department of the Division Florian-Geyer.

M. MONNERAY: No objection.

COMMISSIONER TAYLOR: Let the affidavit be marked SS No. 32.

* * * * * * * * * * * * * *

Affidavit KOSOW. Kosow belonged to the Waffen-SS Division "Hitlerjugend." His unit was instructed in May 1944 concerning the laws of war and of the Geneva Convention and especially ordered that prisoners of war were to be treated well and that they were to receive food and smokes.

M. MONNERAY: No objection.

COMMISSIONER TAYLOR: Let the affidavit be marked SS No. 33.

* * * * * * * * * * * * *

Affidavit Kroll. Kroll belonged to SS Division Wiking and was an SS-Scharfuehrer. In May 1942 the Division received the following order concerning the treatment of Russian prisoners of war. It was read to them and had to be signed by Kroll. I

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signed by Kroll. I quote: "Every Russian prisoner of war is to be treated well when taken prisoner and is to receive food, smokes, and, if necessary, medical attention."

M. MONNERAY: No Objections.

COMMISSIONER TAYLOR: Let the affidavit be marked SS No. 34.

* * * * * * * * * * *

Affidavit Dr. Bruno Wille. The Brigade Drilewanger was no SS unit but rather a unit organized directly on the order of Himmler and composed of men that had criminal records, for probation.

M. MONNERAY: Perhaps this affidavit could be translated? I think it would be a good idea.

COMMISSIONER TAYLOR: Let the affidavit be marked SS No. 35 for identification and the request for translation of the document be submitted to the Commission.

* * * * * * * * * * *

Affidavit Dahms. Dahms was made a member of the SS Motor Vehicle Staff, Front Support, of the German Reichs Post in July of 1942 without any voluntary membership having been a truck driver for the Post Office. He, together with about 1500 other truck drivers of the Reichs Post had to sign a slip to the SS; a Stabscharfuehrer who took these slips declared that they, as civil service employees, knew without a doubt what would happen if they did not sign.

M. MONNERAY: No objection.

COMMISSIONER TAYLOR: Let the affidavit be marked SS No. 36.

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Affidavit Leffke. The border guards which were forced into the SS and which formed the so-called "Grenzstuermen" or border squads did not do any SS service and did not wear any SS uniforms. The so-called "Zollgrenzschutz" or Frontier Guards therefore only belonged formally to the SS.

M. MONNERAY: No objection.

COMMISSIONER TAYLOR: Let that be marked SS Affidavit No. 37

* * * * * * * * * * *

Affidavit Killing. Students had to enter the SS or SA starting with 1933 or 1934 in order to be able to continue their studies.

M. MONNERAY: No objection.

COMMISSIONER TAYLOR: Let the affidavit be marked SS No. 38.

* * * * * * * * * * *

Affidavit Stefan. Already in February 1943, members of the Waffen SS were drafted. This company consisted almost entirely of men who neither belonged to the Allgemeine-SS nor to the Party.

M. MONNERAY: No Objections.

COMMISSIONER TAYLOR: Let the affidavit be marked SS No. 39.

* * * * * * * * * * *

Affidavit Robert Meyer. The Officer Corps of the Waffen-SS was supplemented by reserve and active officers of the army and at times against their protests.

M. MONNERAY: No objection.

COMMISSIONER TAYLOR: Let that be marked Affidavit SS No. 40.

* * * * * * * * * * * * *

DR. PELCKMANN: Since I have, through the previous documents proved that persons were put into the SS through decrees and orders, I will now come to another part of affidavits, concerning themselves with entirely different groups within the SS.

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Affidavit Fanslow. Fanslow was in the summer of 1944, Chief of Amts Group A in the Economic Administration Main Office. Amts Group A was responsible for troop administration. The various Amts Groups within the Economic Administration Main Office did not have any connection with Amts Group D, the formal Inspection Office of the Concentration Camps. The color of weapons was different too. There were no unified discussions and the members of the Economic Administration Main Office, with the exception of those of Amts Group D, had no possibility to find out anything about the conditions in the concentration camps.

M. MONNERAY: No objection.

COMMISSIONER TAYLOR: Let that be marked Affidavit SS No. 41.

* * * * * * * * * * *

Affidavit Wunder. This affidavit has already been submitted at a previous hearing but has not received a number. Wunder was Branch Chief for Staff Personnel in the SS Personnel Main Office and there had to take care of the honorary leaders. Himmler valued having as many important personalities of the State, Industry and Culture as honorary leaders in the SS as possible but these people did not have to serve any SS duties and did not have to meet, as far as racial standards were concerned, the conditions of the SS man.

M. MONNERAY: I should like to have read into the record the last passage on page 5.

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MR. TAYLOR: Let the record show the request was made to have the next paragraph of the affidavit read into the record. Is there any objection onthe part of the defense in having it read into the record?

DR. PELKMANN: No.

MR. TAYLOR: The Interpreter will read it, please.

"It is without a doubt possible that some of these honorary leaders attempted to get into the SS, but the acceptance into the SS, as has been described above, however, was a personal matter of the Reich Fuehrer SS. I, in my subordinate position cannpt change these cases. In general, however, the acceptance into the SS was with the will of the Reich Fuehrer SS."

MR. TAYLOR: Any objection to the rest of the affidavit?

M. MONNERAY: No.

MR. TAYLOR: Let the affidavit be marked SS No. 42 for identification and the Commission will take a ten minuterecess.

(A ten minute recess is taken)

DR. PELKMANN: The ~~XXXX~~ Volksdeutsche Mitterstelle had no connection with the SS. It was a State authority.

M. MONNERAY: I don't see how the affiant could give such a general statement about the Volksdeutsche Mitterstelle. Fabritius was only the representative of the German Community in Roumania.

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DR. PELKMANN: It's competency is established by the quality of the entire affidavit. If possible, I should like to have the entire affidavit translated.

M. MONNERAY: How to you know according to the affidavit that the Volksdeutsche Mittelstelle had no financial means?

DR. PELKMANN: He ~~xxxxxxxxx~~ literally said, and I quote: "My minority has not received any money from the NSDAP or its organizations, neither financial, nor in any other way was there any connection with the SS." I believe the statement of the Prosecution is concerned only with the competency of the affidavit and has nothing to do with the relevancy, which is the only thing which I believe is to be examined here.

M. MONNERAY: It is a question of admissibility to know whether or not an affiant can, according to his own position, and according to the text of the affidavit, be in a position to give the evidence. It is a question of admissibility.

MR. TAYLOR: Let the record show the objection made by the Prosecution to the admissibility of the affidavit. The affidavit will be marked SS No. 43 and submitted to the Commission upon the objection made.

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DR. PELKMANN: In connection with the Volksdeutsche Mittelstelle I should like to have accepted the affidavit by

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Brueckner, which is a supplement of the affidavit which was submitted during the last session by the same affiant. The SS did not interfere with the evacuation of the Alsatians. This measure was only planned and executed by the Chief of the Civil Administration of Alsace.

M. MONNERAY: No objection.

MR. TAYLOR: Let the affidavit be marked SS Affidavit No. 44.

D **********

DR. PELKMANN: The attachment of the Post of postal service on the basis of an agreement with the Minister of the Reich Post and Himmler was merely a formal one, and as before they received their orders only from the Reich Post. They did not pay any SS membership dues and did not fulfill any SS functions and were not attached to any SS formations.

MR. TAYLOR: Let the affidavit be marked SS No. 45.

****

DR. PELKMANN: Affidavit of Barth. The National political schools were state institutions and not a part of the SS.

M. MONNERAY: No comment.

MR. TAYLOR: What about the verification of this affidavit, Doctor? Let the affidavit be marked SS No. 46.

DR. PELKMANN: For the record, let it be noted

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that affidavit SS 46 has a collection of signatures added to it.

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DR. PELKMANN: Affidavit of Teitge. Only the professional qualifications was desired for the acceptance of members of the healing professions in the SS. Leading physicians were solicited by the SS, in order to ~~xxxxxx~~ heighten the prestige of the SS; the physicians did not participate in any conspiracy for the committing of crimes. The qualities of the physicians in the General SS was appreciated also by foreign conquest after the beginning of the war and particularly during the war leading personalities and ministers of foreign countries were treated by German physicians who had service rank in the SS. The Oberabschmitt spree did not participate in the excesses against the Jews on the 9th of November, 1938.

M. MONNERAY: The treatment of foreign personalities by the SS during the war seems to be irrelevant, besides the text of the affidavit does not show that those doctors were asked to go into the War as SS members.

DR. PELKMANN: In order to have it made clear and correct, I beg to have the ~~xxx~~ pertinent paragraphs 2 and 3 translated completely.

MR. TAYLOR: Let the record show that the Prosecution objected to the affidavit as being irrelevant and the request by the Defense that the pertinent para-

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graphs on page 6 and that part marked on page 7, the ones havint the title: ""General SS not being sonsidered criminal." The affidavit will be marked SS No. 47 for identification.

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DR. PELKMANN: Affidavit of Betke. On the basis of an agreement between Himmler and Darre als Fuehrer were accepted into the SS without having to fulfill any functions in the general SS.

MR. TAYLOR: Let the affidavit be marked SS No. 48 for identification.

****

DR. PELKMANN: Affidavit of Flister concerns itself with the same theme.

M. MONNERAY: No comment.

MR. TAYLOR: Let the affidavit be marked SS No. 49 for identification.

******

DR. PELKMANN: Affidavit by Von Eriegsheim. The Rural Riding Association automatically were put into the SS or the SA. The Leiters or riding teachers and so on received corresponding ranks as honorary leaders. The Riders Association of the SS did not participate in any SS duties.

M. MONNERAY: No comment.

MR. TAYLOR: Let the affidavit be marked SS No. 50 for identification.

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DR. PELKMANN: Affidavit of Dr. Gustav Becker. The rural riding associations were automatically taken into the [illegible] of mounted SS. Sports contests/[illegible] horse experts depended upon the memberbship in the mounted SS. The mounted SS was no political organization and did not do any SS service and did not receive any pre-military training.

M. MONNERAY: No comment.

MR. TAYLOR: Let the affidavit be marked SS 51 for identification.

****

DR. PELKMANN: Affidavit of Poehlmann. The sponsoring members of the SS in reality were not members of the SS at all. They did not have to full any conditions, not even in a political respect. They did not fulfill any functions of any sort and they could resign and join at will.

Since the Prosecution up to this point has not let it be known whether the sponsoring members of the SS are charged at all, and merely have stated that all of those are accused, this is a sworn oath on the other hand that sponsoring members essentially did not give any oath.

I should like toask that the pertinent parts of this affidavit be translated in full. That is Roman Numeral I, as shown in parenthesis. I should like to add that Poehlmann is a Protestant Minister.

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M. MONNERAY: No comment.

MR. TAYLOR: Is there any objection to the translation of paragraph No. I on page 2 and ending on page 6 of the affidavit?

M. MONNERAY: No.

MR. TAYLOR: Let the record show it is marked SS No. 52 for identification and the defense requests that Paragraph I, beginning on page 2 and ending on page 6 be translated.

****

DR. PELKMANN: Affidavit Gramlich. The SS sports association did not do any SS service and did not have any sort of an organization with the total SS and the only purpose was to have famous sportsmen appear in the name of the SS and to heighten the entire sports activities in the SS. Himmler considered the whole affair a prestige affair for the SS.

MR. TAYLOR: Let the affidavit be marked SS 53 for identification.

****

DR. PELKMANN: Affidavit Scharnweber. The chief of the work area of the national political training installations and home schools was to be through SS Obergruppenfuehrer Heissmeyer, but both installations were not SS installations.

Com A
4 - 8
Cook
1530 - 1700
17 July 1946
Affidavits

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MR. TAYLOR: Let the affidavit be marked SS 54, and let the record show no objection on the part of the Prosecution.

****

DR. PELKMANN: Two affidavits from Walter Becker. The SS railroad construction brigages were not SS units. The working crews of these brigades were composed of prisoners. The guards were not SS men but ~~xxxxx~~ were ~~highwayxofficialsx~~ Reichsbahn officials. The prisoners with the SS railroad construction brigades were very well treated and fed.

MR. TAYLOR: No objection on the part of the prosecution?

M. MONNERAY: No.

MR. TAYLOR: Let the affidavit be marked SS 55 for identification.

****

DR. PELKMANN: Affidavit of Walter Becker. The SS front workers had nothing to do with the SS either idealogically or in any other way, but they were working for construction firms which were employed to do the job in this capacity by the officials of the Waffen SS.

MR. TAYLOR: Since there is no objection by the Prosecution, let the affidavit be marked SS 56.

****

Com K A
4 - 9
Cook
1530 - 1700
17 July 1946
Affidavits.

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DR. PELKMANN: Now follows some affidavits pertaining to the training and education of the SS. Affidavit by Dr. Niels Hansen. First in the SS training neither was the extermination of the Jews being taught nor was a conception of mastery discussed or taught in any way. Second, the general SS did not receive any sort of training with reference and was neither physically nor intellectually being prepared for war.

M. MONNERAY: No comment.

MR. TAYLOR: Let the affidavit be marked SS No. 57.

****

DR. PELKMANN: There are two affidavits coming from Gaese. The longer summary reads as follows:

First, in training and education of the SS, the first line contained positive ideals and a rejection of hatred or other low qualities, education for a healthy relationship to the woman and the family, and secondly, the Nurnberg laws were considered as a solution ofthe Jewish problem, and this was hardly touched upon. Neither was the Jewish, nor any other race, being treated with disrespect or their extermination demanded. Third, the SS was not educated to the point of viewof being a Master race.

M. MONNERAY: NO comment.

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MR. TAYLOR: Let the affidavit be marked No. 58 for identification.

****

DR. PELKMANN: The second affidavit of Gaese concerns itself with the fact that the mass of the SS could not recognize any preparation for war nor any other criminal intention.

M. MONNERAY: No objection.

MR. TAYLOR: Let the affidavit be marked SS 59 for identification.

****

DR. PELKMANN: Affidavit of Stegmaier. The SS did not exercise any influence on the people who thought otherwise politically. In Tuttlingen, for instance, the SS rejected the Kreisleiter, especially as to any influence on the population regarding the plebiscite in April 1938.

M. MONNERAY: No comment.

MR. TAYLOR: Let the affidavit be marked No. 60 for identification.

****

DR. PELKMANN: There are two affidavits which are supplementary to the testimony of witnesses. The first one by Eberstein, whose testimony could not be heard on the 6th of July because the time was too short. From March 1936 until April 1945 Eberstein was Fuehrer of the SS Oberabschnittes South for the General SS, and that

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the general SS was not employed either to march into Austria nor into the Sudetenland.

M. MONNERAY: No comment.

MR. TAYLOR: Let the affidavit be marked SS ~~yi~~ 61 for identification.

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DR. PELKMANN: This is an affidavit by Gorthmann. ??? We wish to submit a correction pertaining to a question during the time of the hearing which he misunderstood. He/~~now~~ now gives a new answer to the correct question.

M. MONNERAY: I object to this affidavit. It is a general rule that no discussion is allowed between defense counsel and a witness during cross examination, and this affidavit in a certain way gets the same result and is not a correct statement made during cross examination.

DR. PELKMANN: Actually, of course, I spoke to the witness after the close of the hearing.

M. MONNERAY: I am not accusing you of talking with the witness during the cross examination but the effect is the same.

DR. PELKMANN: I donot believe it could be considered the same, because the hearing was concluded already. I believe that the Tribunal should be permitted to pass a ruling about this case.

MR. TAYLOR: The commission thinks the objection is well taken and it isn't a proper affidavit to bring it

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in after the hearing, but the affidavit will be marked SS 62 for identification and submitted to the Commission.

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DR. PELKMANN: One more affidavit by Fuehrer, originally a copy was submitted during the last session. The summary reads as follows:

I (1) From March 1943 until the end of the war the Fuehrer was aidede camp to Himmler, though among other duties he had to care for the correspondence of Himmler and he had the file records, he had no possibility to see any criminal orders or to hear anything about any criminal action. The Fuehrer confirms that Himmler kept secret his intentions and his actions, not only from him, but also from the rest of the SS Fuehrers. He did not even call in his personal experts and adjutants for personal conferences and his personal individual SS Fuehrers, and he further affirms the extreme secrecy of Himmler toward the SS Fuehrers: The Fuehrer said: The movement of the 6th SS army from the Eifel mountains to Hungary in January, 1945, remained unknown, even in the closest circles of Himmler in the field command, which was itself not informed of the happening.

2. Himmler also completely mistrusted the experts, and if it was possible he wanted to do everything himself. He had army leaders and servants around him whom he did not inform regarding his intentions and whom he did not permit to know.

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II. Himmler called on many men who played a role in the state economic and cultural life, as so called Himmler leaders, without their executing any SS duties or without their participating in any training.

M. MONNERAY: I think we have already objected to this affidavit last week.

MR. TAYLOR: Let the Affidavit show it is marked SS No. 63, that the Prosecution has heretofore objected to the affidavit and its admissibility and their second objection is noted.

DR. PELKMANN: The affidavit was returned to the defense in order to make a more extensive summary, and if the Commission believed it necessary I could now give some more reasons why this affidavit should be admitted.

MR. TAYLOR: It will be all right to get it into the record.

DR. PELKMANN: In paragraphs, Capital A, I and II, and Capital B on page 2, the witness described how Himmler kept secret his conferences even from his experts and Adjutants. Furthermore, he states that only subordinate people were employed by him. He did not inform them of his intentions and opinions. This testimony is a further complement of the evidence which I will bring that Himmler's system consisted of leaving the people around him unclear about his true opinions and intentions. From that it can

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be concluded that the larger circle and certainly the masses of the people of the SS could not have been acquainted with the intentions of Himmler and his activiities.

MR. TAYLOR: What were the objections you had the other day to the affidavit?

M. MONNERAY: The objection was that the affidavit was dealing only with the absence of knowledge of the personal adjutant of Himmler, having so implied that the absence of knowledge of the personal adjutant simply means at the same time an absence of knowledge of the different members of the SS.

MR. TAYLOR: Do you have any further comment on it, Dr. Pelkmann?

DR. PELKMANN: I think not.

Q MR. TAYLOR: You have no further affidavits, do you, Dr. Pelkmann?

DR. PELKMANN: I don't understand whether Mr. Monneray is keeping his objection or whether he is withdrawing it.

M. MONNERAY: I am maintaining it.

MR. TAYLOR: The Commission will adjourn until 1000 hours tomorrow morning.

(The Commission adjourned at 1700 hours)

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The foregoing is a true and correct transcript of Affidavits submitted by DR. PELCKMANN, taken on 17 July 1946.

Alice Meehan
Reporter (pp 1-10

Charles J Gallagher
Reporter (pp 11-21

Mabel A. Lesser
Reporter (pp 22-31

Reased W Cook
Reporter (pp 32-45

CERTIFIED TO :

A M S Weare
Commissioner

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SUBMISSION OF AFFIDAVITS BY THE DEFENSE PURSUANT TO THE ORDER OF THE TRIBUNAL DATED 5 JULY 1946.

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17 July, 1946.

COMMISSIONER :

Colonel A.M.S. Neave.

(THE COMMISSION CONVENED AT 1030 HOURS.)

THE S.S.

COLONEL NEAVE : The last affidavit submitted was SS AFFIDAVIT 13. Yesterday, we had a conference regarding concentration camp affidavits and came to certain conclusions with regard to those affidavits. Possibly Dr. Pelckmann would like to submit the con centration camp affidavit first.

DR. PELCKMANN. WEBER AFFIDAVIT.

Weber is by profession a priest. He was a racial German from Rumania and in October of 1941 he was drafted, together with 350 fellow citizens, into the Waffen SS without having previously belonged to the party or the allgemeine SS. Weber belonged from January 1, 1942 until the end of the war to the Guard and Battalion Guson Naunthausen. He was assigned to guard duty in the beginning of 1943, then he worked in the company office. He was commandeered for three months at the concentration camp at Oranienburg and later on was sent back to Guson as a librarian. During his entire duty, Weber never saw that prisoners were mistreated, tortured or killed by guard posts. Weber spoke almost daily with the prisoners and they told him many things of life within the camp, but never spoke of any tortures, killings or gas chambers. The prisoners had recreation in Camp Guson, including movies, foot-ball tournaments,

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concerts and good medical care. The bad impression, which was given Camp Guson, was supposed to have been made when it was cleaned up and is explained by Weber through circumstances which occured only in the very last period of the war, such as the typhus epidemic, the killing of the prisoners among themselves, the lack of food supplies, etc.."

MR. MONNERAY : It can be added to the summary that it is recognized that the guards were not allowed to enter within the camp itself.

DR. PELCKMANN : I agree with that. I propose, due to the fact that this affidavit is typical, that the entire affidavit be translated, because I have quite a few other affidavits of this sort and this will add to the explanation of the other affidavits.

COLONEL NEAVE : Mr. Monneray, I don't know is you wish to have this affidavit fully translated or not.

MR. MONNERAY : I th nk the summary is sufficient.

DR. PELCKMANN : "The entrance into the camp, as well as the entrance into the industries where prisoners worked, was allowed only to the personnel of the command post and only some of them were permitted to enter."

COLONEL NEAVE : This affidavit will be admitted as SS AFFIDAVIT 14.

DR. PELCKMANN : I will present some more, which are typical also.

COLONEL NEAVE : You will have to limit the number that you actually summarize into the record. Those you do not summarize we will just have to list.

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DR. PELCKMANN : These are only typical special individual affidavits. I will bring a big list of general affidavits concerning the concentration camps.

COLONEL NEAVE : How many "typical special" affidavits are there ?

DR. PELCKMANN : Ten.

COLONEL NEAVE : What about the ones I have here. Are they the same?

DR. PELCKMANN : Six of them you have.

COLONEL NEAVE : Go on.

DR. PELCKMANN : KOENIG AFFIDAVIT.

COLONEL NEAVE : I believe we read this before. I am looking at the transcript of Saturday. I don't believe you want to read it into the transcript again. I would like to say that the whole summary is to be found in the transcript of last Saturday morning (July 13, 1946) with the exception of the last sentence. The last words used in the transcript on Saturday morning were that "food was quite good and sufficient in the concentration camp". You can read the last sentence.

DR. PELCKMANN : "Mistreatment of prisoners was strongly forbidden and punished severely".

MR. MONTROY : I do not object to the last part of the last phrase of the summary, even when you say the food was better than the food given to the SS members, but that is an interesting element for the weight of this document.

DR. PELCKMANN : It is a question of value.

MR. MONTROY : I would like to have read a few phrases of the last page, where he finally recognizes that executions did take place in the concentration camp.

COLONEL NEAVE : There is no point in reading part of the paragraph, we will read the whole paragraph.

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DR. MELCHMANN : "At the end of my affidavit, I want to speak about the executions, some single executions were carried out, but they were on mostly so-called black-out criminal, guilty of plunderings in Berlin during air attacks, criminal assult, rape and other assault crimes. As I found out from comrades who were working in the command office, those people were legally sentenced to death by a proper court marshall. Mass executions, as they were supposed to be carried out in Auschwitz and Mathausen, which we heard of only in the internment camp through the press and radio, could not have been carried out in Saxonhausen. My comrades and I would have had to know something about this. The order concerning a single execution, concerning those sentences, etc., came as secret matters to the commander or his representatives in the office and were taken care of in strict secrecy by Amts. 1 and 3. The secrecy was also kept against other offices. (Amts. 1 and 3 are the prison camp leadership.) For all AA members working in the concentration camp, there was a so-calle secrecy pledge, not only to the outside, but also concerning the individual work done."

COLONEL NEAVE : Any comments?

MR. MONNERAY : No comments.

COLONEL NEAVE : This is SS AFFIDAVIT NO. 15.

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R. PELCKMANN: AFFIDAVIT WILSCHEWSKE.

COLONEL NEAVE: We had better look at the affidavit first.

MR. MONNERAY: What is the purpose of this affidavit ?

DR. PELCKMANN: What is in the affidavit. This is supposed to show that a prisoner was comparatively well treated and he did not have any knowledge of any killings in concentration camps or executions.

MR. MONNERAY: No objection.

DR. PELCKMANN: Wilschewske had been an inmate of the concentration camp Dachau since March 3, 1943, when he refused to follow a draft order into the SS. He was treated well in Dachau, the food was good and there was tobacco until the end of 1944. The accommodations were well during his entire stay in Dachau. He did not see nay killings or mistreatments with the exception of those special punishments ordered by the Reichsfuehrer SS. Besides that he heard of executions such as the carrying out of court marshall sentences. Wilschewske heard repeatedly of the prisoners who volunteered for biological experiments of Dr. Rascher. They volunteered for that since in this way they could earn their own freedom as well as special consideration for their families. Wilschewske is at the present time interned since he, with other prisoners was put in uniform when the American troops came near and was ordered to defend the camp.

COLONEL NEAVE: Any further comment ? This is SS AFFIDAVIT 16.

MR. MONNERAY: May I add one word as to the fact that Wilschewske is actually interned. This fact was not the result of the affidavit itself, but it is due to the comment of the defense counsel.

DR. PELCKMANN: There is a mistake in the copy, that is in the original

COLONEL NEAVE: My copy says he went to Dachau under protective custody in February of 1943.

DR. PELCKMANN: Mr. Monneray means the fact that Wilschewske is now interned. That is in the last paragraph.

COLONEL NEAVE: Yes, I see.

DR. PELCKMANN: That was not mentioned accidently in the affidavit.

COLONEL NEAVE. Is he still interned in Dachau ?

DR. PELCKMANN: That is not correct. He was only ordered to defend the camp, but there was no defense.

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DR. FELCKMANN: AFFIDAVIT GERBER.

Gerber was weapons chief in the armament industries in Dachau, He knew that cold experiments were being made with prisoners of the concentration camp, but that the prisoners volunteered for these experiments and that they were previously examined by doctors and received special food.

MR. MONNERAY: No objection.

COLONEL NEAVE: That will be admitted as SS AFFIDAVIT NO. 17

COLONEL NEAVE: We have had four so far on concentration camps. How many more do you have ?

DR. FELCKMANN: Six more.

COLONEL NEAVE: That makes a total of ten affidavits on the concentration camps. I think that is fair , but there should be no more.

MR. MONNERAY: That will be quite sufficient to get a general picture from the point of the defense.

COLONEL NEAVE: The object of the affidavits, I understand, is to show that there was no general policy on the part of the SS to illtreat prisoners in the concentration camps and if there were crimes committed, they were not known to the average camp guard.

DR. FELCKMANN: That is correct. I am merely interested in the second point and the first point is just a supporting point.

MR. MONNERAY: I consider these so-called affidavits are only relevant to the second point, that is the point of knowledge, but are irrelevant as far as they tend to show the question of general policy in concentration camps. The first point seems to be necessary to show evidence of a general nature.

COLONEL NEAVE: I don't think you can say on the point of general policy that they are entirely irrelevant and I should prefer to leave further consideration of their actual value as evidence to the judges.

DR. FELCKMANNN: I want to say that due to the fact that I was not able to get at some documents, I will present at the next hearing a sufficient affidavit concerning the general policies of the concentration camps by the Witness Kaindel and also a statement or affidavit by SS Judge Dr. Morgan, who was the chief of the investigating group that investigated concentration camps from 1943 to 1944.

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COLONEL NEAVE: Is that in addition to what you have this morning ?

DR. FELCKMANN: Yes, in addition. I could not finish Kaindel's affidavit because he just arrived last night.

COLONEL NEAVE: Defining the question of the admissibility of these affidavits as evidence. The affidavits describe conditions in several well known concentration camps and I am not prepared to rule them out on the grounds that they are irrelevant either in respect to the question of general policy or the q uestion of knoewledge, unless, of course, those that follow turn out to be personal in nature.

DR. FELCKMANN: I must point out that I am too a little uncertain about this entire matter, since my request to the Tribunal that I present the various records and judgments during the recent concentration camp trials has been turned down by the Tribunal repeatedly.

COLONEL NEAVE: Yes, go on.

DR. FELCKMANN: AFFIDAVIT ANGSTMANN.

COLONEL NEAVE: Are they any objections ?

MR. MONNERAY: No objections.

COLONEL NEAVE: Do you wish anything additional added to the record ?

DR. FELCKMANN: You can add the fact that Angstmann was high chief of the SA from 1933.

I consider that he was a ghigh leader since he was an Obertruppfuehrer which is a non-commissioned officer.

MR. MONNERAY: You say he is an Obertruppfuehrer ?

COLONEL NEAVE: I don't see anything particularly interesting about that.

DR. FELCKMANN: Angstmann was commandeered in August of 1944 from the army to carry out personnel transports from Auschwitz to Buchenwalds and on September 15, 1944 was taken over by the SS . Among other things he acted as a guard in the concentration camp Flossenberg. Guards who hit prisoners or mistreated them otherwise were punished. The guard units had no entrance to the protective custody camp. The food of the prisoners

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was satisfactory and from all persons who came in any connection to the concentration camp a statement was required concerning secrecy. There was no possibility for Angstmann, as a member of the guard company, to find out anything concerning the inner matters of the concentration camp at Auschwitz. Angstmann declared that he understands quite well the complete lack of knowledge by the majority of the SS members of conditions in the concentration camp.

COLONEL NEAVE: Are they any objections ?That will be admitted as SS AFFIDAVIT NO. 18

We will recess for ten minutes

(The commission recessed at 1130 hours.)

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COLONEL NEAVE: Go ahead with the next affidavit you wish to submit, Dr. Pelckmann.

DR. PELCKMANN: Klenner.

COLONEL NEAVE: May I unterrupt you a moment.

DR. PELCKMANN: I gave that copy the last time.

COLONEL NEAVE: How does he spell his name;

DR. PELCKMANN: Klenner.

COLONEL NEAVE: I don't seem to have it here. Mr. Monneray, do you have anything to say against this ?

MR. MONNERAY: I have no comments to make.

DR. PELCKMANN: The command staff of a concentration camp had nothing to do with the guard units. The members of the guard comapnies were prohibited entering the camp, or the interior of Sachsenhausen, and in the mistreatment of prisoners was punished severely.

COLONEL NEAVE: That is SS AFFIDAVIT NO. 19, and admitted.

DR. PELCKMANN: The next is Tunger. Tunger was first of all since 1940 a guard drafted through the labor law at the concentration camp at Dachau. Later on he was manager of the food store, and there were no indications of cruelties or exterminations. The food and the care of the inmates was very good. I want to point out that in addition to this affidavit I added a report over the food rations according to special weight, and the exact weight of this food ration, and so on. That is for 194 .

COLONEL NEAVE: Where is this ?

DR. PELCKMANN: Don't you have it, Colonel ?

COLONEL NEAVE: According to the defense this chart is available at the end of the original affidavit. Any further comments ?

MR. MONNERAY: No comments.

COLONEL NEAVE: This may be admitted as SS AFFIDAVIT NO. 20. We have now allowed six affidavits on this subject, and I understand that there will be four more.

DR. PELCKMANN: As far as concerns the description of the guard companies or inmates, I next have Klose.

COLONEL NEAVE: How many affidavits from Auschwitz do we have ? We had one from Auschwitz before.

DR. PELCKMANN: One, I believe. This is the second.

COLONEL NEAVE: Are there any others ?

DR. PELCKMANN: No, not on concentration camps. Inmates or guards, no. I include the ones I have selected. I am sure there are some more that I have in the end summary;

Klose was drafted in the WAFFEN SS in 1941, and without having previously been a Party member, or a member of the Allgemeine SS. He was made a guard in concentration camp Auschwitz. Any kind of violations against prisoners were punished severely. The prisoners were fed well. There was no indication of mistreatment or extermination in Auschwitz.

COLONEL NEAVE: Commission will allow SSAFFIDAVIT NO. 21 to be admitted.

DR. PELCKMANN: Flierl.

COLONEL NEAVE: Will you translate the last remark

DR. PELCKMANN: I want to point out especially that Flierl was transferred in September 1944 from the army due to the fact he was not usable on the front lines. He was transferred to the command staff of the concentration camp.

COLONEL NEAVE: Any comments on this ?

MR. MONNERAY: No.

COLONEL NEAVE: Translate it.

DR. PELCKMANN: Flierl was working in the command posts of the concentration camp Dachau, and was commander leader of about forty or fifty model prisoners. Strict secrecy was required, and the entrance into the cap was only allowed upon presentation of special passes which were only given out after a very severe selection. The secrecy rules had the purposes of keeping secret any matters that occurred within the camp towards the outside, not even among those which were working in the command staff, or in the original office of the camp itself.

COLONEL NEAVE: The Commission will allow this affidavit as SS AFFIDAVI No. 22

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DR. PELCKMANN: Fabian - (Reads the German text)

COLONEL NEAVE: Any objection ?

MR. MONNERAY: No objection.

COLONEL NEAVE: Will you translate it ?

DR. PELCKMANN: Fabian was a member of SS since 1931 and in 1940 he was sent to the concentration camp Sachsenhausen in Oranienberg because of breaking of the secrecy pledge. He remained there until 27 January 1941; and waslater on put into a probation unit of the Waffen SS. Fabian saw in Sachsenhausen good accommodation, good clothing, and possibly all religious worship. He later on saw the movie on the concentration camps and is of the opinion that the pictures whown there are the result of a breakdown within the latest period.

The prisoners as well as the guard units were ordered to a strict secrecy under the threatening of severe punishment.

MR. MONNERAY: Do you know how long he was in this concentration cam

DR. PELCKMANN: He stated that he remained there until 1941, 1940 to 1941 one year.

COLONEL NEAVE: Anything else you want to read into the record ?

MR. MONNERAY: No.

COLONEL NEAVE: We will admit this as SS AFFIDAVIT NO. 23

DR. PELCKMANN: I only want to say that later on I shall present a summary of many other documents, partly by SS guards and partly by prisoners. The only thing to be done is in the summary I will give the main camps, and concerning their knowledge as to what happened within the concentration camps, such as concerning the otrtures and exterminations. This will be handed in on a special form.

COLONEL NEAVE: How many are there ?

DR. PELCKMANN: I don't know. Up until now the assistants on members of the SS are at present improving on it in the witness wing sorting through about twenty thousand affidavits which do not only concern the concentration camps but other matters.

COLONEL NEAVE: But really these are collective affidavits that you are referring to ?

DR. PELCKMANN: Yes.

COLONEL NEAVE: Are these all you propose to submit before the Commission as individuals ?

DR. PELCKMANN: Yes.

COLONEL NEAVE: Now I would like to turn to the subject of the witne: Kuehn. You remember we had a discussion on that concerning the validity of an affidavit such as this. In this case the w tness asked an official in the Gestapo whether rumors concerning the extermination of Jews were ture. Well, now, in my opinion such evidence is only relevant if it can be shown that the people responsible for these alleged exterminati ns made it their policy to deliberately conceal the facts from the world at large or at any rate a considerable number of the members of the organization to which it is charged. Now we had considerable discussion on this affidavit. We have gone into this, and this is my view consider it it irrelewan' to show that one individual received a particular answer from the Gestapo particularly one which does not have anything to do with the SS.
We can not admit this as evidence on the grounds that I have already given.

DR. PELCKMANN: May I add something to this. Or is this a final decision.

COLONEL NEAVE: Well, you may comment on it.

DR. PELCKMANN: This affidavit of Kuehn is only a small link in the chain of evidence. I want to state at this point that if the commissioner wants me to prove that the Gestapo made a deliberate policy to misinform the people about the real administration, then I cannot do that by document since orders like that definitely were not given in written form, and if they were given them, cannot be found at the present time, especially not with the means that I have had at my disposal.

COLONEL NEAVE: Permit me to say, why not have your witness, say

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that through the affidavits. All this witness says is that he personally asked the question and received the particular answer. He does not say the Gestapo kept it a secret from others. If you produce an affidavit that shows that the Gestapo kept the extermination of the Jews a secret from a number of people, then I'll admit it. As the affidavit stands, it falls entirely with the rule 6-C of the order of March 13th. It makes it quite clear that the ignorance of a particular individual is not relevant as it stands now. After all I can only judge the affidavit by what it says. I can not infer any more information from it than I can get from the reading of it. You can not expect me to infer from this affidavit that it means something different.

DR. PELCKMANN: I want to say that it is a matter of logic, or a matter of human knowledge that if the important persons of one office inquire at another official source in this case, the Gestapo, and when received a reply, then this reply necessarily is to be considered not a reply just because the other person failed of giving this answer, but because the other persons had orders to give such answers.

COLONEL NEAVE: I think the prosecution should state their view on this subject. I think before we close this discussion there should be more comments, and I would like to hear from Mr. Monneray, what you have to say on this subject.

M. MONNERAY: I quite agree with the Commission, and maybe for once more I begin to think the affidavit some sort of implication and conclusion much more than concrete facts, and, moreover, I think the whole affidavit does not or has no connection at all with the SS. It talks about the position of the Ministry of Justice, and it talks about the Gestapo, and we are here interested in getting facts about the knowledge, or absence of knowledge of the members of the SS as an organization.

COLONEL NEAVE: Dr. Pelckmann, are you going to submit further evidence on this subject?

DR. PELCKMANN: Yes.

COLONEL NEAVE: Not in this form? Are they all the people who inquire at offices receive negative answers, or something similar to that?

DR. PELCKMANN: There are. Like the one we have here from Dr.

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Morgen, who being an SS judge, and who had an official order to investigate the crimes in concentration camps, only to get this information from one, and als of some members of the SS and members of the staff of Himmler concerning his statements, and matters like that.

COLONEL NEAVE: We agree to suspend consideration of this in view of ones that are to come.

DR. PELCKMANN: The next is the affidavit of Wagner. I would like the entire document translated, or at least the quotation of Himmler.

COLONEL NEAVE: Was there great difficulty in finding an Allied officer to certify the affidavit?

DR. PELCKMANN: Evidently. There is a signature of an officer und it.

COLONEL NEAVE: This copy appears to be certified to by you, Dr. Pelckmann. May we have the original as soon as you can get it.

DR. PELCKMANN: Yes.

COLONELNEAVE: Mr. Monneray, will you please comment on Dr. Pelckmann's request, which is a statement to have the whole or part of this affidavit translated.

M. MONNERAY: I have no objection to the whole translation.

COLONEL NEAVE: The Commission shall consider the translating of it. Now in view of what we have heard from this witness, you still think that the affidavit of Kuehn is relevant?

DR. PELCKMANN: Yes, especially because of this.

COLONEL NEAVE: This particular affidavit is exactly the type of affidavit I was suggesting we would admit, to show the concentration camp atrocities were deliberately concealed from other people, whereas, the affidavit of Kuehn reveals no such facts. The Commission will, therefore, den the affidavit of Kuehn, and return it to you. The affidavit of Wagner is is admitted as SS Affidavit No. 24, and will be fully translated and submitted to the Tribunal.

DR. PELCKMANN: Friedrich Mueller --

COLONEL NEAVE: Naturally, Dr. Pelckmann, before you read this affidavit I would like to say, it seems to me that we seem to be getting off

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the topics I understood you to rely on in the submission of these affidavits. We are now coming back to concentration camps and ghettos, whereas, I had thought that with the last affidavit we were to come to the question of knowledge. What is the subject in Mueller's affidavit?

DR. PEICKMANN: The affidavit tells of the concentration camp but not concerning the knowledge of the inmates, or the guards, but rather of the SS as a general organization, and new statements of other people who were not inmates, guards, or guard members but people in position to make statements concerning these matters through the positions they held.

COLONEL NEAVE: All right.

DR. PEICKMANN: Friedrich Mueller as general director of the Bohemian and Moravian mail checked the installment of the Jewish mail distribution in Theresienstadt, and visited the Jewish city. He could neither say about the treatment of Jews, nor any extermination. The opposite he noticedvery good food conditions of the Jews in the town.

M. MONNERAY: Perhaps it would be possible to translate the last passage on page two.

COLONEL NEAVE: Beginning where?

M. MONNERAY: The last phrase, or the second to last phrase.

COLONEL NEAVE: Is it not stated in the summary?

M. MONNERAY: It is quite amazing when this Czech internee comes back he is given a particular translation, but he talks about the necessity to live with real criminals, so perhaps there were two parts in this Ghetto, and if anything this last phrase is in contradiction with the beginning of this affidavit.

COLONEL NEAVE: All right, you can read that, can't you? By the way, have you translated this summary?

THE INTERPRETER: Yes.

M. MONNERAY: After this report came back to the office, I had him report to me concerning his experience in the concentration camp, after I had found his thoughts concerning the secrecy pledge, he told me that for him the worst was the living together with the real criminals. Food and housing were all right. He did not at any time have to feel any mistreatment or abuse.

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COLONEL NEAVE: Any further comments. The affidavit is admitted a SS Affidavit No. 25. As I have to attend a closed session at two o'clock I shall be glad to adjourn now. Mr. Taylor will continue the hearing at two o'clock.

(The Commission adjourned to 1400 hours.)

AFTERNOON SESSION

(The Commission reconvened at 1405 hours, 17 July 1946.)

BY DR. PELCKMANN:

Affidavit Fritz Wagner. Members of the Commando Staffs and of the Guard Units of the concentration camps were punished severely for mistreatme of prisoners. I would also like the following paragraph to be translated int the record: Through personal files and through documents available one could see that every one of them and sometimes even repeatedly, was taught and told, without strong punishment, that they were not to speak to the prisoners privately, that they were not supposed to have any personal connections with them, that they were not to hit them or to mistreat them or were not to give them any presents or take any from them.

COMMISSIONER TAYLOR: Any objection?

M. MONNERAY: No objection.

COMMISSIONER TAYLOR: That will be SS No. 26.

BY DR. PELCKMANN:

I do not want to bring up next the two affidavits of Schmitz and Schein. I am going to submit them in the final summary.

Next is Affidavit Gerlach. Gerlach was at the end of July 1934, Commander of the so-called Columbia House in Berlin, the prison for political prisoners of the Reichs Security Main Office and from the beginning of December 1934 Commander of the Concentration Camp Sachsenburg and since April 1935 Adjutant in the Concentration Camp Dachau. Only members of the camp headquarters and the prisoners themselves could have any knowledge concerning the matters within the concentration camp. There was a secrecy pledge for all members of the camp headquarters, for the guard units and for the prisoners. Gerlach states that with

the exception of a small circle that he has named no one, not even members of the SS, could have received any information concerning conditions in concentration camps.

M. MONNERAY: The affidavit does not seem to be signed before an allied officer.

DR. PELCKMANN: It was very hard to have this certified by an allied officer since the decree concerning certification by an allied officer was only issued in May and in this case it was certified by a German lawyer. It is possible that there is a decree in the Camp Neuengamme in which the German lawyers are authorized to certify the documents. I remember especially that communication with the Camp Neuengamme was very difficult.

COMMISSIONER TAYLOR: Is there any other objection?

M. MONNERAY: No.

COMMISSIONER TAYLOR: That will be marked SS No. 27 and it will be submitted to the Commission as a whole as to clarification and for approval.

BY DR. PELCKMANN:

Affidavit Gruenewald. Gruenewald was from the 21st of June 1938 until the 2nd of August 1944 protective custody prisoner in various concentration camps. On the 19th of December 1944, he was forced into the SS. Gruenewald found out during his six year imprisonment that all mean matters and crimes were carried out by members of the Command Staffs and that they were kept secret from members of the SS units. He states that the members of the Waffen-SS did not have the possibility to receive any insight into the interior matters of the concentration camp.

M. MONNERAY: No objection.

COMMISSIONER TAYLOR: Let the affidavit be marked SS No. 28.

BY DR. PELCKMANN:

Affidavit Rudolph Gerhard Schneider. Schneider was in October 1943 ordered to Posen as an SS Sturmfuehrer and member of the Office of the SS Personnel Main Office of the Reichsfuehrer-SS and in this way became a witness to the Posen speech of Himmler. During the evening meal the Gruppenfuehrer of the Waffen-SS

SS Steiner and Phleps spoke against the proposed solution of the Jewish problem as described by Himmler as well as against the use of the Waffen-SS in the so-called Einsatz Commandos. Schneid was of the impression that other SS leaders also did not agree with the statements of Himmler. Every member of this meeting was held to strictest secrecy. Schneider had to sign a slip which stated that if this secrecy pledge was broken he, together with his entire family, would be liquidated. Some days later Schneider was once again warned personally by Himmler to keep q uiet in any case concerning Posen if he valued his life.

M. MONNERAY: No objections.

COMMISSIONER TAYLOR: Let the affidavit be marked SS No. 29.

Affidavit Jasper. Jasper entered into the SS Reitersturm on the 1st of May 1935 in Munich. In August 1936 he participate in the group that was sent to accompany members of the Diplomatic Corps and foreign guest s of honor to the Olympics in Berlin and later on participated also in the accompanying of foreign personalities, duties which were regularly carried out by the 7th SS-Reiter Standarte. Jasper thereby saw a constantly increasing participation of the Diplomatic Corps in National Socialistic demonstrations from year to year and growing interest in the matters of Germany. He did not notice any negative action or any hostile attitude but rather a happy agreement. This cooperation in the Diplomatic Corps was presented to the German public through movies and the press as well as through direct reports over the radio. Therefore neither the German population or the mass of the SS could get the thought that the SS was a criminal organization, especially since, for instance, during the Reichs Party Day of 1938, among the personalities participat were the British Ambassador Henderson and the French Ambassador Francois Poncet. This affidavit also states that the riding training in the SS Reiterstandarte was not considered by the Army as being too valuable.

M. MONNERAY: I consider this affidavit as irrelevant in so

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far as the affidavit is dealing with the attitude of foreign diplomats. The Tribunal has already dealt with this question and has not admitted this kind of evidence. May I add, this document gives no evidence of facts except the fact of the presence of foreign diplomats during the Party Demonstrations.

DR. PELCKMANN: I believe that the prosecutor is incorrect when he states that the Tribunal has already decided this matter. The Tribunal can only decide about individual defendants before the Tribunal since, as the prosecution has stated, they, as leading personalities, did know the goals and the reasons behind the goals. The individual defendants had to know, according to the prosecution, that they were fooling the foreign governments, the diplomatic corps. Therefore, the attitude of the other countries could be of no value to the individual. However the defense of the SS maintains that the Ss members and the organization as such were themselves fooled by the National Socialistic Leadership about its true goals and this mistake, this wrong idea, had to be strengthened by the friendly attitude of the Diplomatic Corps. Therefore the individual could not have known that its government was following criminal goals if the foreign diplomats were on such friendly relations. And this document does not give only ideas but rather facts concerning especially the attitude of foreign diplomats against the SS during such diplomatic demonstrations or Nazi Party Demonstrations.

M. MONNERAY: If I may add another consideration, it seems to me that the matter this affidavit is dealing with, about the matter of argument, about the matter of facts, the only fact shown here in this affidavit is the presence of foreign diplomats at Nazi Demonstrations. In this commission the evidence has to deal with the criminal activities of the organizations. So it would be perfectly admissible if this affidavit said only that the SS Riding Units had no criminal activity at all. But there is no connection at all between the attitude of foreign

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diplomats and the knowledge of criminal activities of the indicted organization. For this reason I think this document is inadmissible.

DR. PELCKMANN: May I add something?

COMMISSIONER TAYLOR: Proceed.

DR. PELCKMANN: This document does not only state the fact, very well known before the Court, that foreign diplomats had participated in demonstrations or were present, but it shows something that so far has not been presented to the court - that it was the SS that took care of these visiting diplomats and it was the SS that was in an especially friendly relation with the foreign diplomats and vice versa. It is not correctly stated that this Commission has only to deal with the question as to whether or not an organization is criminal because, according to No. 3 of the Decree of the 13th of March 1946, it is stated that the question is also if the criminal goal was generally known among the members of the organization and therefore it is important to know if those diplomats were together with members of the SS, which is supposed to be a criminal organization, and it is important to show that members of the diplomatic corps were in good relation with members of the SS. The people and the mass of the SS had to judge themselves whether members of the diplomatic corps would be seen together with members of a

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criminal organization.

M. MONNERAY: If I may just conclude, I think there is no connection at all between the question of whether or not members of the SS considered their organization as criminal and the fact that foreign representatives attended Nazi Demonstrations. An appreciation by the members of their own organization and of the nature of their own organization has to be shown by facts regarding this organization and not by facts which have no connection at all with this organization. In other words, evidence has to be given by facts which are in direct connection with the organization and a part of this organization itself and its activities and not by facts absolutely outside of the organization itself.

DR. FELCKMANN: According to #3 of the Decree of the 13th of March one has to show that members of the SS were not aware actually of the criminal attitude and the only way I can prove that is by giving facts by which the average SS man could judge in those years.

COMMISSIONER TAYLOR: For the purpose of the record let this affidavit bemarked SS No. 30. The objections by the prosecution arenoted and the record is closed as to the question of relevancy. The affidavit will be presented to the commission for final approval.

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BY DR. FELCKMANN:

Affidavit Kaddatz. Kaddatz belonged since May 1934 to the Leibstandarte Adolf Hitler, later on to other formations of the Waffen-SS,. He won through his 12 years of activities in the units of the Waffen-SS from the rank of an SS-man to that of a regimental commander, a good insight of the activities of the organization. Before 1937 there was no military training for war purposes in the Leibstandarte Adolf Hitler but rather only drill for parades. The Waffen-SS was often instructed in its training and on the frnnt concerning the laws of warfare and they were warned against any excessive measures and if such excessive measures were carried out, severe punishmemt was handed down.

COMMISSIONER TAYLOR: Any objection on the part of the prosecution?

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M. MONNERAY: No.

COMMISSIONER TAYLOR: Let the affidavit be marked SS No. 31.

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BY DR. FELCKMANN:

Affidavit Strobel. Strobel was Hauptscharfuehrer in the Waffen SS Division Reich and belonged from October 1939 to July of 1942 to the medical group of the Division Staff. Since August 1942 he was in the same capacity with the Waffen SS Division Florian-Geyer. There was repeated instruction concerning the rights of warfare, concerning the treatment of prisoners of war and of the civilian population and of the position of medical personnel. He does not know of any crimes against the laws of war. The Russian population was also treated medically by the medical department of the Division Florian-Geyer.

M. MONNERAY: No objection.

COMMISSIONER TAYLOR: Let the affidavit be marked SS No.32.

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Affidavit Kosow. Kosow belonged to the Waffen SS Division "Hitler-jugend". His unit was instructed in May 1944 concerning the laws of war and of the Geneva Convention and especially ordered thatprisoners of war were to be treated well and were to receive food and smokes.

M. MONNERAY: No objection.

COMMISSIONER TAYLOR: Let the affidavit be marked SS No. 33.

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Affidavit Kroll. Kroll belonged to SS Division Wiking and was an SS-Scharfuehrer. In May 1942 the Division received the following order concerning the treatment of Russian prisoners of war. It was read to them and had to be signed by Kroll. I quote: "Every Russian prisoner of war is to be treated well when taken prisoner and is to receive food, smokes, and, if necessary, medical attention."

M. MONNERAY: No objections.

COMMISSIONER TAYLOR: Let the affidavit be marked SS No. 34.

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H1046-0069

Affidavit Dr. Bruno Wille. The Brigade Drilewanger was no SS unit but rather a unit organized directly on the order of Himmler and composed of men that had cr minal records, for probation.

M. MONNERAY: Perhaps this affidavit could be translated? I think it would be a good idea.

COMMISSIONER TAYLOR: Let the affidavit be marked SS No. 35 for identification and the req st for translation of the document be submitted to the Commission.

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Affidavit Dahms. Dahms was made a member of the SS Motor Vehicle Staff, Front Support, of the German Reichs Post in July of 1942 without any voluntary membership having been a truck driver for the Post Office. He, together with about 1500 other truck drivers of the Reich Post had to sign a slipto the SS; a Stabscharfuehrer who took these slips declared that they, as civil service employees, knew without a doubt what would happen if they did not sign.

M. MONNERAY: No objection.

COMMISSIONER TAYLOR: Let the affidavit be marked SS No. 36.

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Affidavit Leffke. The border guards which were forcedinto the SS and which formed the so-called "Grenzstuermen" or border squads did not do any SS service and did not wear the SS uniforms. The so-called "Zollengrenzschutz" or Frontier Guards therefore only belonged formally to the SS.

M. MONNERAY: No objection.

COMMISSIONER TAYLOR: Let that be marked SS Affidavit No. 37.

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Affidavit Killing. Students had to enter the SS or SA starting with 1933 or 1934 in able to continue their studies.

M. MONNERAY: No objection.

COMMISSIONER TAYLOR: Let the affidavit be marked SS No. 38.

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Affidavit Stefan. Already in February 1943, members of the Waffen SS were drafted. This company consisted almost entirely of men who neither

H1046-0070

belonged to the Allgemeine SS nor to the Party.

MR. MONNERAY; No objections.

COMMISSIONER TAYLOR: Let the affidavit be marked SS No. 39.

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Affidavit Robert Meyer. The Officers Corps of the Waffen SS was supplemented by reserve and active officers of the army and at times against their protest.

M. MONNERAY: No objection.

COMMISSIONER TAYLOR: Let that be marked Affidavit SS No. 40.

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DR. FELCKMANN: Since I have, through the previous documents proved that persons were put into the SS through decrees and orders, I will now come to another part of affidavits, concerning themselves with entirely different groups within the SS.

Affidavit Fanslow. Fanslow was in the summer of 1944, Chief of Amts Group A in the Economic Administration Main Office. Amts Group A was responsible for troop administration. The various Amts Groups within the Economic Administration Main Office did not have any connection with Amts Groups D, the formal Inspection Office of the Concentration Camps. The color of weapons was different, too. There was no unified discussions and the members of the Economic Administration Main Office, with the exception of those of Amts Group D, had no possibility to find out anything about the conditions in the concentration camps.

M. MONNERAY: No objection.

COMMISSIONER TAYLOR: Let that be marked Affidavit SS No. 41.

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Affidavit Wunder. This affidavit has already been submitted at a previous hearing but has not received a number. Wunder was Branch Chief for Staff Personnal in the SS Personnel Main Office and there had to take care of the honorary leaders. Himmler valued having as many important personalities of the State, Industry and Culture as honorary leaders in the SS as possible, but these people did not have to serve any SS duties and did not have to meet, as far as racial standards were concerned, the conditions of the SS man.

M. MONNERAY: I should like to have read into the record the last passage on page 5.

H1046-0071

MR. TAYLOR : Let the record show the request was made to have the next paragraph of the affidavit read into the record. Is ther any objection on the part of the defense in having it read into the record?

DR. FELKMANN : No.

MR. TAYLOR : The Interpretor will read it, please.

"It is without a doubt possible that some of these honorary leaders attempted to get into the SS, but the acceptance into the SS, as has been described above, however, was a personal matter of the Reich Fuehrer SS. I, in my subordinate position cannot change these cases. In general, however, the acceptance into the SS was with the will of the Reich Fuehrer SS."

MR. TAYLOR : Any objection to the rest of the affidavit?

M. MONNERAY : No.

MR. TAYLOR : Let the affidavit be marked SS No. 42 for identification and the Commission will take a ten minute recess.

(A ten minute recess is taken)

DR. FELKMANN : The Volksdeutsche Mittorstelle had no connection with the SS. It was a State authority.

M. MONNERAY : I Don't see how the affiant could give such a general statement about the Volksdeutsche Mittorstelle. Fabritius was only the representative of the German Community in Roumania.

DR. FELKMANN : It's competency is established by the quality of the entire affidavit. If possible, I should like to have the entire affidavit translated.

M. MONNERAY : How do you know according to the affidavit that the Volksdeutsche Mittelstelle had no financial means?

DR. FELKMANN : He literally said, and I quote : "By

H1046-0072

minority had not received any money from the NSDAP or its organizations, neither financial, nor in any other way was there any connection with the SS". I believe the statement of the Prosecution is concerned only with the competency of the affidavit and had nothing to do with the relevancy, which is the only thing which I believe is to be examined here.

M. MONNERAY : It is a question of admissibility to know whether or not an affiant can, according to his own position, and according to the text of the affidavit, be in a position to give the evidence. It is a question of admissibility.

MR. TAYLOR : Let the record show the objection made by the Prosecution to the admissibility of the affidavit. The affidavit will be marked SS No. 43 and submitted to the Commission upon the objection made.

DR. MELKMANN : In connection with the Volksdeutsche Mittelstelle I should like to have accepted the affidavit by Brueckner, which is a supplement of the affidavit which was submitted during the last session by the same affiant. The SS did not interfere with the evacuation of the Alsatians. This measure was only planned and executed by the Chief of the Civil Administration of Alsace.

M. MONNERAY : No objection.

MR. TAYLOR : Let the affidavit be marked SS Affidavit No. 44.

DR. MELKMANN : The attachment of the Post or postal service on the basis of an agreement with the Minister of the Reich Post and Himmler was merely a formal one, and as before they received orders only from the Reich Post. They did not pay any SS members ip dues and did not fulfill any SS functions and were not attached to any SS formations.

H1046-0073

MR. TAYLOR : Let the affidavit bemarked SS No. 45.

DR. PELKMANN : Affidavit of Barth. The National political schools were state institutions and not a part of the SS.

M. MONNERAY : No comment.

MR. TAYLOR : What about the verification of this affidavit, Doctor? Let the affidavit be marked SS No. 46.

DR. PELKMANN : For the record, let it be noted that affidavit SS 46 has a collection of signatures added to it.

DR. PELKMANN : Affidavit of Teitge. Only the professional qualifications was desired for the acceptance of members of the healing professions in the SS. Leading physicians were sollicited by the SS, in order to heighten the prestige of the SS the physicians did not participate in any conspiracy for the committing of crimes. The qualities of the physicians in the General SS was appreciated also by foreign conquest after the beginning of the war and particularly during the war leading personalities and ministers of foreign countries were treated by German physicians who had service rank in the SS. The Oberabschnitt Spree did not participate in the excesses against the Jews on the 9th of November 1938.

M. MONNERAY : The treatment of foreign personalities by the SS during the war seems to be irrelevant, besides the text of the affidavit does not show that those doctors were asked to go into the War as SS members.

DR. PELKMANN : In order to have it made clear and correct, I beg to have the pertinent paragraphs 2 and 3 translated completely.

MR. TAYLOR : Let the record show that the prosecution objected to the affidavit as being irrelevant and the request

H1046-0074

by the Defense that the pertinent paragraphs on page 6 and that part marked on page 7, the ones having the title : "General SS not being considered criminal." The affidavit will be marked SS No. 47 for identification.

DR. PELKMANN: Affidavit of Botke. On the basis of an agreement between Himmler and Darre als Fuehrer were accepted into the SS without having to fulfill any functions in the general SS.

MR. TAYLOR : Let the affidavit be marked SS No. 48 for identification.

DR. PELKMANN : Affidavit of Flister concerns himself with the same theme.

M. HONNERAY : No comment.

MR. TAYLOR : Let the affidavit be marked SS No. 49 for identification.

DR. PELKMANN : Affidavit by Von Trieqsheim. The Rural Riding Association automatically were put into the SS or the S.. The Leiters or riding teachers and so on received corresponding ranks as honorary leaders. The Riders Association of the SS did not participate in any SS duties.

M. HONNERAY : No comment.

MR. TAYLOR : Let the affidavit be marked SS No. 5A for identification.

H1046-0075

DR. PELKMANN : Affidavit of Dr. Gustav Becker. The rural riding associations were automatically taken into the mounted SS. Sports contests of horse experts depended upon the membership in the mounted SS. The mounted SS was no political organization and did not do any SS service and did not receive any pre-military training.

M. HOFFMEYER : No comment.

MR. TAYLOR : Let the affidavit be marked SS 51 for identification.

DR. PELKMANN : Affidavit of Pochlmann. The sponsoring members of the SS in reality were not members of the SS at all. They did not have to fill any conditions, not even in a political respect. They did not fulfill any functions of any sort and they could resign and join at will.

Since the Prosecution up to this point has not let it be known whether the sponsoring members of the SS are charged at all, and merely have stated that all of those are accused, this is a sworn oath on the other hand that sponsoring members essentially did not give any oath.

I should like to ask that the pertinent parts of this affidavit be translated in full. That is Roman Numeral I, as shown in parenthesis. I should like to add that Pochlmann is a Protestant Minister.

H1046-0076

MR. MONNERAY: No comment.

MR. TAYLOR: Is there any objection to the translation of paragraph No. I on page 2 and ending on page 6 of the affidavit ?

MR. MONNERAY. No.

MR. TAYLOR: Let the record show it is marked SS No. 52 for identification and the defense requests that Paragraph I, beginning on page 2 and ending on page 6 be translated.

DR. PELCKMANN: AFFIDAVIT GRAMLICH. The ss sports association did not do any SS service and did not have any sort of an organisation with the total SS and the only purpose was to have famous sportsmen appear in the name of the SS and to heighten the entire sports activities in the SS. Himmler considered the whole affiar a prestige affair for the SS.

MR. TAYLOR: Let the affidavit be marked SS 53 for identification.

DR. PELCKMANN: AFFIDAVIT SCHARNWEBER. The chief of the work area of the national political training installtions and home schools was to be through SS Obergruppenfuehrer, Heissmeyer, but both installations were not SS installations.

MR. TAYLOR: Let the affidavit be marked SS 54, and let the record show no objection on the part of the Prosecution.

DR. PELCKMANN: Two affidavits from Walter BECKER. The SS railroad construction brigades were not SS units. The working crews of these brigades were composed of prisoners. The guards were not SS men but were composed of Reichsbahn officials. The prisoners with the SS railroad construction brigades were very well treated and fed.

MR. TAYLOR: No objection on the part of the prosecution.

MR. MONNERAY: No.

MR TAYLOR: Let the affidavit be marked SS 55 for identifiaation

MR. PELCKMANN: Affidavit of Walter Becker. The SS front workers had nothing to do with the SS either ideologically or in any other way, but they were working for construction firms which were employed to do the job in this capacity by the officials of the Waffen SS.

H1046-0077

MR TAYLOR: Since there is no objection by the Prosecution, let the affidavit be marked SS 56.

DR. PELCKMANN: Now follows some affidavits pertaining to the training and education of the SS. Affidavit by Dr. Niels Hansen. First in the SS training neither was the extermination of the Jews being taught nor was a conception of mastery discussed or taught in any way. Second, the general SS did not receive any sort of training with reference and was neither physically nor intellectually being prepared for war.

MR. MONNERAY: No comment.

MR TAYLOR: Let the affidavit be marked SS No. 57

DR. PELCKMANN: There are two affidavits coming from Gaese. The longer summary reads as follows :

First in training and education of the SS, the first line contained positive ideals and a rejection of hatred or other low qualities, education for a healthy relationship to the woman and the family, and secondly, the Nurnberg laws were considered as a solution of the Jewish problem. and this was hardly touched upon. Neither was the Jewish, nor any other race, being treated with disrespect or their extermination demanded. Third, the SS was not educated to the point of view of being a Master race.

MR. MONNERAY: No comment.

MR. TAYLOR: Let the affidavit be marked No. 58 for identification

DR. PELCKMANN: The second affidavit of Gaese concerns itself with the fact that the mass of the SS could not recognize any preparation for war nor any other criminal intention.

MR. MONNERAY: No objection.

MR TAYLOR: Let the affidavit be marked SS 59 for identification.

DR. PELCKMANN: Affidavit of Stegmaier. The SS did not exercise any influence on the people who thought otherwise politically. In Tuttlingen, for instance, the SS rejected the Kreisleiter , especially as to any influence on the population regarding the plebiscite in April 1938.

MR MONNERAY: No comment.

MR. TAYLOR: Let the affidavit be marked No. 60 for identification

H1046-0078

DR. PELCKMANN: There are two affidavits which are supplementary to the testimony of witnesses. The first one by Eberstein, whose testimony could not be heard on the 6th of July because the time was too short. From March 1936 until April 1945 Eberstein was Fuehrer of the SS Oberabschnittee South for the General SS , and that the general SS was not employed either to march into Austria nor into the Sudetenland.

MR MONNERAY: No comment.

MR. TAYLOR: Let the affidavit be marked SS 61 for identification.

DR. PELCKMANN: This is an affidavit by Gorthmann. We wish to submit a correction perhaining to a question during the time o f the hearing which he misunderstood. He now gives a new answer to the correct question.

MR. MONNERAY: I object to this affidavit. It is a general rule that no discussion is allowed between defense counsel and a witness during cross examination, and this affidavit in a certain way gets the same result and is not a correct statement made during cross examination.

DR. PELCKMANN: Actually, of course, I spoke to the witness after the close of the hearing.

M. MONNERAY: I am not accusing you of talking with the witness during the cross examination but the effect is the same.

DR. PELCKMANN: I don't believe it could be considered the same, because the hearing was concluded already. I believe that the Tribunal be/ should permitted to pass a ruling about this case.

MR. TAYLOR: The commission thinks the objection is well taken and it isn't a proper affidavit to bring it in after the hearing, but the affidavit will be marked SS 62 for identification and submitted to the Commission.

DR. PELCKMANN: Onemore affidavit by Fuehrer, originally a copy was submitted during the last session. The summary reads as follows :

I. 1) From March 1943 until the end of the war, Fuehrer was aid de camp to Himmler, though among other duties he had to care for the correspondence of Himmler and he had the file records, he had no possiblity to see any criminal orders or to hear anything about any criminal action.

H1046-0079

The Fuehrer confirms that Himmler kept secret his intentions and his actions not only from him, but also from the rest of the SS Fuehrers. He did not even call in his personal experts and adjutants for personal conferences and his personal individual SS Fuehrers, and he further affirms the extreme secrecy of Himmler toward the SS Fuehrers : Fuehrer said : The movement of the 6th SS army from the Eifel mountains to Hungary in January 1945, remained unknown even in the closest circles of Himmler in the field command, which was itself not informed of the happening.

2. Himmler also completely mistrusted the experts, and if it was possible he wanted to do everything himself. He had army leaders and servants around him whom he did not inform regarding his intentions and whom he did not permit to know.

H1046-0080

II. Himmler called on many men who played a role in the state economic and cultural life, as so called Himmler leaders, without their executing amy SS duties or without their participating in any training.

M. MONNERAY: I think we have already objected to this affidavit last week.

MR. TAYLOR: Let the Affidavit show it is marked SS. No. 63, that the Prosecution has heretofore objected to the affidavit and its admissibility and their second objection is noted.

DR. PELKMANN: The affidavit was returned to the defense in order to make a more extensive summary, and if the Commission believed it necessary I could now give some more reasons why this affidavit should be admitted.

MR. TAYLOR: It will be all right to get it into the record.

DR. PELKMANN: In paragraphs, Capital A, I and II, and Capital B on page 2, the witness described how Himmler kept secret his conferences even from his experts and Adjutants. Furthermore, he states that only subordinate people were employed by him. He did not inform them of his intentions and opinions. This testimony is a fruther complement of the evidence which I will bring that Himmler's system consisted of leaving the people around him unclear about his true opinions and intentions. From that it can be concluded that the larger circle and certainly the masses of the people of the SS could not have been acquainted with the intentions of Himmler and his activities.

MR. TAYLOR: What were the objections you had the other day to the affidavit?

M. MONNERAY: The objection was that the affidavit was dealing only with the absense of knowledge of the personal adjutant of Himmler, having so implied that the absence of knowledge of the personal adjutant simply means at the same time an ansence of knowledge of the different members of the SS.

MR. TAYLOR: Do you have any further comment on it, Dr. Pelkmann?

DR. PELKMANN: I think not.

MR. TAYLOR: You have no further affidavits, do you, Dr. Pelkmann?

H1046-0081

DR. PELKMANN: I don't understand whether Mr. Monneray is keeping his objection or whether he is withdrawing it.

M. MONNERAY: I am maintaining it.

MR. TAYLOR: The Commission will adjourn until 1000 hours tomorrow morning.

(The Commission adjourned at 1700 hours)

The foregoing is a true and correct transcript of Affidavits submitted by DR. PELKMANN, taken on 17 July 1946.

Alice Meehan
Reporter (pp

Charles J. Gallagher
Reporter (pp

Mabel A. Lesser
Reporter (pp

Rase W. Cook
Reporter (pp

CERTIFIED TO:

A. M. S. NEAVE
Commissioner